

Remarks

The Applicant respectfully requests reconsideration of this application in view of the following remarks. In this response, claims 1, 3, 6-7, 10, 15, and 20 have been amended, without prejudice. Claims 26-35 have been added. Claims 21-25 were withdrawn by the Examiner. Hence, claims 1-20 and 26-35 are pending in this application after the filing of this amendment

ELECTION/RESTRICTIONS

The Examiner has constructively elected claims 1-19 for purportedly being directed to an invention that is independent or distinct from the invention originally claimed. Claims 21-25 have been withdrawn. However, Applicant reserves the right to continue prosecution of these claims in one or more divisional applications.

Claim Rejections – 35 U.S.C. § 102

In the Office action, the Examiner rejected claims 1-6, 9-16, 19, and 20 under 35 U.S.C. 102(e) for allegedly being anticipated by U.S. Pub. No. 2001/0037241 of Deepak Puri (hereafter “Puri”). The Applicant respectfully disagrees. Moreover, the Applicant believes that distinctions exists between the original claims and the references cited by the Examiner. However, to expedite prosecution, and not for purposes of patentability, claims 1, 3, 6-7, 10, 15, and 20 have been amended to more clearly claim the subject matter of the Applicant’s invention. Importantly, Applicant reserves the right to pursue claims of original breadth in one or more continuation or divisional applications.

Claim 1 of the present application, as amended, expressly recites “indicating whether the user is a specific type of user, wherein the specific type of user is authorized to access one or more content databases.” (Emphasis added.) Puri does not disclose this claimed feature. Instead, Puri generally relates to “a computerized incentive system which is responsive to user customization.” (see, e.g., [0001]) In particular, paragraph [0039] of Puri discloses

accessing “numerous portions of the web site” for designing, creating, implementing and managing incentive programs based on reward currency.

As presently understood by the Applicant, Puri allows a user to access a control panel “which affords access to the various functions of the system” for designing, creating, implementing and managing incentive programs based on reward currency. For example, “a user who merely wants to purchase goods/services in the environment provided by the system . . . will not require access to the incentive customization facility114.” (see, e.g., paragraph [0040]) Accessing various functions of the system as suggested by Puri is not the same as authorizing accessing one or more content databases.

Claim 1 also recites “a customized version of an electronic information product that includes information gathered from the one or more content databases the specific user is authorized to access.” (Emphasis added.) While the control panel in Puri can be tailored “to conform with the particular requirements of the particular user,” the tailoring contemplated by Puri does not teach or reasonably suggest “a customized version of an electronic information product that includes information gathered from the one or more content databases the specific user is authorized to access.” For example, paragraph [0041] of Puri allows the control panel to be customized “to the particular requirements of each user as may be extrapolated over time from the manner in which the particular user makes use of the system . . . , for example, spending habits, navigation patterns, etc.” (Emphasis added.) Customizing a control panel to the requirements of each user as may be extrapolated over time is different than gathering content from one or more databases that a user is authorized to access as recited by claim 1.

Moreover, the content in Puri relates, e.g., to “advertising in relation to goods/services available . . . which is likely to be of interest to the particular user based on such relevant data regarding the user.” The content in Puri is not “gathered from the one or more content databases the specific type of user is authorized to access” as recited in claim 1 in the present application.

Consequently, for at least these reasons, claim 1 is distinguishable over Puri.

Claims 2-9 and 26-28 depend from independent claim 1. As such, these claims inherit the limitations of the claims from which they depend and are thus distinguishable over Puri for at least the reasons given above.

In addition to elements similar to those discussed with reference to claim 1, claim 10 recites “one or more content databases storing data or other information for electronic information products” and delivering an electronic information product wherein the “electronic information product is customized with a subset of the data or other information in the one or more content custom databases.” As previously discussed, the Applicant can find no disclosure, teaching, or reasonable suggestion of at least these elements in Puri. As such, for at least this reason, claim 10 is distinguishable over Puri.

Claims 11-19 and 29-30 depend from independent claim 10. As such, these claims inherit the limitations of the claims from which they depend and are thus distinguishable over Puri for at least the reasons given above.

With regard to claim 20, claim 20 now recites “storing subscription account information authorizing access to one or more content databases” and delivering a customized version of an electronic information product in accordance with “the custom display format associated with the user category and wireless device.” In addition to reasons discussed above, the Applicant can find no teaching or reasonable suggestion of a custom display format associated with the user category and wireless device in Puri. As such, claim 20 is distinguishable over Puri for at least this reason.

Claim Rejections – 35 U.S.C. § 103

The Examiner rejected claim 7 under 35 U.S.C. 103(a) as being allegedly unpatentable over Puri in view of U.S. Pub. No. 2003/0004984 of Chou (hereafter “Chou”). The Applicant respectfully disagrees with the Examiner’s characterization of the combination of Puri and Chou. Claim 7 properly depends from independent claim 1 and thus includes the expressly recited elements of the base claim. Chou is relied upon by the Examiner for its alleged teaching regarding “the electronic information product is transmitted in a customized display

format appropriate for the wireless device.” As presently understood by the Applicant, Chou does not teach or reasonably suggest use of the expressly recited customized version of an electronic information product that includes information gathered from the one or more content databases as recited in claim 1. As a result, Chou does not remedy the deficiencies of Puri with respect to claim 7 and the combination of Chou and Puri does not disclose every element of claim 7. For at least this reason, claim 7 is distinguishable over the combination of Chou and Puri.

The Examiner rejected claim 17 under 35 U.S.C. 103(a) as being allegedly unpatentable over Puri in view of U.S. Pub. No. 2002/0103008 of Rahn et al (hereafter “Rahn”). The Applicant respectfully disagrees with the Examiner’s characterization of the combination of Puri and Rahn. Claim 17 properly depends from independent claim 10 and thus includes the expressly recited elements of the base claim. Rahn is relied upon by the Examiner for its alleged teaching regarding cradle synchronization. As presently understood by the Applicant, Rahn does not teach or reasonably suggest, at least, the use of the expressly recited electronic information product customized with a subset of the data or other information in the one or more content databases recited in claim 10. As a result, Rahn does not remedy the deficiencies of Puri with respect to claim 17 and the combination of Rahn and Puri does not disclose every element of claim 17. For at least this reason, claim 17 is distinguishable over the combination of Rahn and Puri.

The Examiner rejected claims 8 and 18 under 35 U.S.C. 103(a) as being allegedly unpatentable over Puri in view of U.S. Pat. No. 6,411,836 of Patel et al (hereafter “Patel”). The Applicant respectfully disagrees with the Examiner’s characterization of the combination of Puri and Patel. Claims 8 and 18 properly depends from independent claims 1 and 10, respectively, and thus include the expressly recited elements of the base claim. Patel is relied upon by the Examiner for its alleged teaching regarding healthcare information. As presently understood by the undersigned, Patel does not teach or reasonably suggest use of the electronic information product as recited in either claim 1 or claim 10. As a result, Patel does not remedy the deficiencies of Puri with respect to claims 8 and 18. Therefore, the combination of Patel and

Puri does not disclose every element of claims 8 and 18. For at least this reason, claims 8 and 18 are distinguishable over the combination of Patel and Puri.

Consequently, for at least these reasons, claims 7, 8, 17, and 18 are distinguishable over the references cited by the Examiner.

New Claims

Ten new claims, i.e., claims 26-35, have been added. No new matter has been introduced by these new claims. The newly added claims are allowable over the references of record for at least various of the reasons presented above with reference to claims 1-20

Conclusion

Applicant respectfully submits that the remark has overcome the rejections, and that the pending claims are in condition for allowance. Accordingly, Applicant requests that the rejections be withdrawn and that a Notice of Allowance be issued for claims 1-20 and 26-35.

Request for a Telephone Interview

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-607-3500.

CHARGE OUR DEPOSIT ACCOUNT

The necessary fees in the amount of \$2,290.00 are being submitted via the Electronic Filing System. No other fees are thought to be due. However, please charge our Deposit Account No. **06-0029** for any additional charges that may be associated with this submission..

Respectfully submitted,

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